

Local Discussions Related to Disproportionate Minority Contact

**Iowa Department of Human Rights
Division of Criminal and Juvenile Justice Planning (CJJP)
Report to Johnson County Officials**

March 2013

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Section I - Background

The Iowa Department of Human Rights, Division of Criminal and Juvenile Justice Planning (CJJP) provides state oversight for Iowa's administration of the federal Juvenile Justice and Delinquency Prevention Act (JJDP Act). A key requirement of the JJDP Act relates to Disproportionate Minority Contact (DMC) of youth in Iowa's juvenile justice system. Minority youth are overrepresented, in Iowa and nationally, at a variety of juvenile justice system decision-making phases. CJJP, its Juvenile Justice Advisory Council (JJAC), and the State DMC Subcommittee are offering Johnson County specific technical assistance to reduce DMC. CJJP, directly or through contract providers, has provided similar technical assistance to Black Hawk, Johnson, Polk, and Woodbury Counties for a number of years.

CJJP carries out research, policy analysis, program development and data analysis activities to assist policy makers, criminal and juvenile justice system agencies and others to identify issues of concern and to improve the operation and effectiveness of the justice and juvenile justice systems. In recent years CJJP has initiated activity specific to the school discipline process as a result of recommendations from a 2009 study committee, the Governor's Youth Race and Detention Task Force.

Section II - Report Composition

A number of persons were interviewed for preparation of this report (see Attachment A). Local interviewees were asked about their perceptions of issues related to DMC, activities related to DMC, and potential avenues for technical assistance by CJJP. This report is a summary of those discussions and identification of a number of major efforts. Within the various major efforts are noted identified issue/activity, relevant data, challenges, and CJJP recommendations.

CJJP was afforded every courtesy as interviews were being scheduled and conducted and community officials and citizens willingly gave of their time for interviews. All persons were open, forthcoming, and genuinely interested with how to influence DMC. Their assistance with the interviews and commitment to DMC is noteworthy and appreciated.

Local Groups

Throughout the interview process a variety of local groups were identified that have involvement or activity related directly to DMC. The below groups are not a comprehensive list of relevant local DMC related groups, nor does this report seek to explain the various activities and goals of the listed groups. The groups are listed here as potential discussion entities related to the recommendations or other information provided in this report, or were referenced in local discussions for their specific DMC-related contributions in the community. Other local groups can and will be added to the distribution list for this report as requested locally.

DMC Committee
Consultation of Religious Communities
ICCSA Core Management Team
Juvenile Justice Youth Dev. Program

Coalition for Racial Justice
Breakthrough Series Collaboration
Community Partnership for Protecting Children
Ad Hoc Diversity Committee (City Council)

Census Data

Most of the data provided in this report are aggregated by race/ethnicity. As a reference, CJJP is providing youth census data for Johnson County in Figure 1.

Figure 1
Census Data - Johnson County Youth - Ages 10-17

	Total Youth Population	Cauc.	Afr.-Amer.	Hisp./Lat.	Asian	Nat. Amer.	Minority Population
Number	10,527	8,188	1,073	741	500	25	2,399
Percentage*		78%	10%	7%	5%	1%	23%

Source: 2011 National Criminal Justice Reference Service Data

* Percentages may not equal 100% due to rounding.

Section III – Juvenile Detention

Identified Issue/Activity

The Governor's Youth Race and Detention Task Force (YRDTF) met from 2007 to 2009 to study the overrepresentation of minority youth in juvenile detention and the overall high numbers of youth in such settings for misdemeanor-level offenses. The YRDTF issued recommendations through a [series of reports](#) which are available on CJJP's website. The activities of the YRDTF prompted and increased interest in juvenile detention, and the work of the group contributed to state-level reductions in detention holds. One of the products of the YRDTF was the development of a single page Iowa Juvenile Detention Screening Tool (DST). A volume of national research reflects the utilization of a risk-based DST as a cornerstone of detention reform. Detention screening is one of a small number of local policy activities that has produced the most consistent and sustained reductions in minority overrepresentation.

Just as importantly, there is significant legal precedent relating to the importance of due process provisions for youth deprived of constitutional freedoms through placement in locked juvenile detention settings (see Attachment B). Iowa's Juvenile Justice Advisory Council, its Task Force for Young Women, its DMC Subcommittee, and a number of other Governor-appointed Commissions within the Iowa Department of Human Rights (Human Rights Board, Status of African Americans, Status of Latino Affairs, Native Americans, Asian and Pacific Islanders, Persons with Disabilities, and Deaf Services) have taken written positions of support for utilization of a single, state-level detention screening tool to ensure due process protections for detained youth.

In discussions with law enforcement officials they made it clear that they have no interest in playing anything more than an advisory role in the decision to detain youth. They see such decisions as the primary focus of juvenile court services and judges.

Relevant Data

Below are tables with information regarding Johnson County juvenile detention facility holds and detention rates for youth ages 10-17. The data are taken from the DMC matrices and Iowa's 2012 [Juvenile Justice and Delinquency Prevention Act Three Year Plan](#). The matrices are an instrument utilized by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) to measure and compare compliance with the DMC Requirement of the JJDP Act. An overall description of the matrices is provided on pages 75 through 78 of the plan. Calendar year 2012 is the most recently completed matrix, and select pages have been included here as Attachment C. It should be noted

that matrices typically include arrest information from the Iowa Department of Public Safety's Uniform Crime Report (UCR). No UCR data are provided in the matrix because the most recently available data are from 2010. It is anticipated that 2011 arrest data will be available in the upcoming weeks. Such data will be provided to Johnson County officials when they are available.

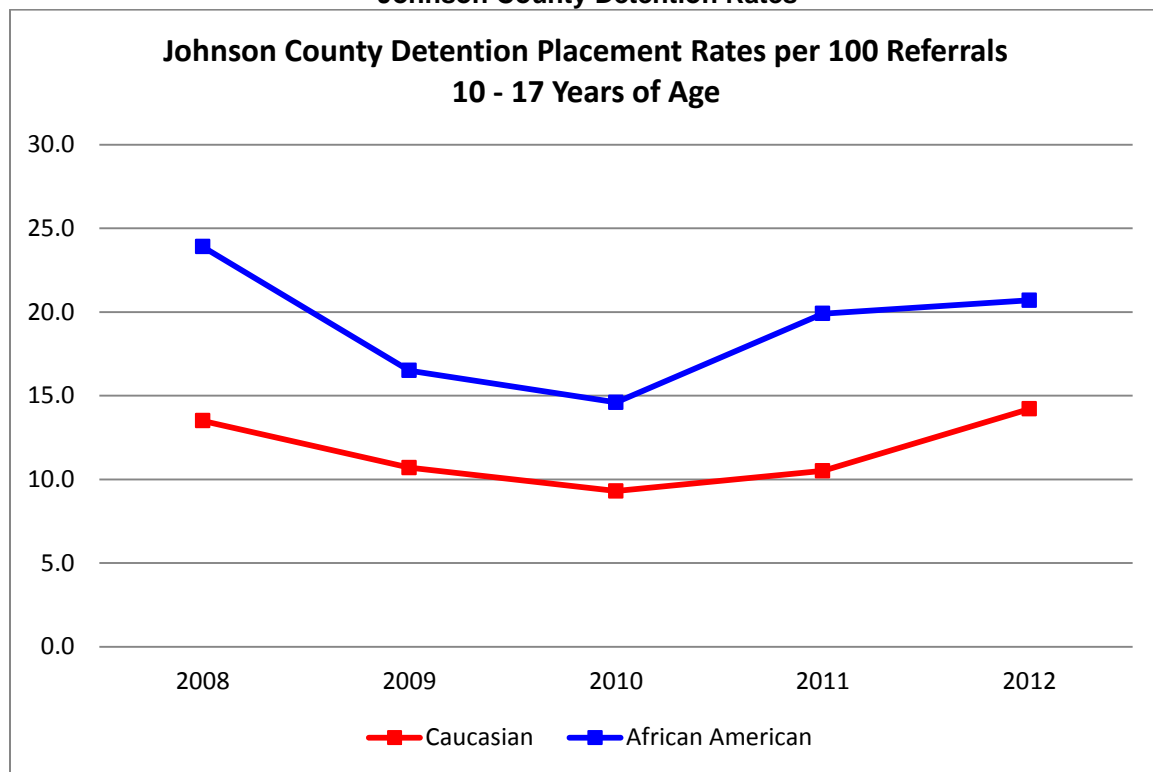
Figure 2
Johnson County Detention Numbers

Johson County						Percent	5 - Year
Detentions	2008	2009	2010	2011	2012	Change	Average
						(2008 - 2012)	
Caucasian	55	41	33	35	43	-21.8%	41.4
Percent Change	--	-25.5%	-19.5%	6.1%	22.9%		
African American	88	56	39	53	63	-28.4%	59.8
Percent Change	--	-36.4%	-30.4%	35.9%	18.9%		

Source: CJJP – JDW

- Overall detention numbers are small. Detention numbers and rates for all racial/ethnic groups were lower in 2012 than in 2008.

Figure 3
Johnson County Detention Rates



Source: CJJP – JDW

Note: Detention rates are calculated per 100 referrals (complaints) to juvenile court.

- The average detention rate for African-Americans is 19.1 and for Caucasians is 11.6.
- The average rate of detention for African-American youth is 1.7 times higher than the rate for Caucasian youth.

Challenges

Overrepresentation for African-American youth in Johnson County, like most of Iowa's major metropolitan areas, continues to be an issue. Johnson County, like the majority of Iowa Counties, is not utilizing an instrument for detention screening in a process that is standardized across the state. The lack of a standardized instrument presents issues relative to due process.

CJJP Recommendations

Recommendation I: Johnson County Officials need to implement an instrument developed specifically for detention screening.

Recommendation II: A local group that can provide oversight and accountability to monitor detention screening should be utilized as a screening tool is implemented. Preferably the community will be able to utilize an existing group. CJJP will provide quarterly detention data sets to the Johnson County site and is willing to participate in local detention-related discussions.

Recommendation III: Written policies should be developed to support the implementation of a detention screening tool. These new policies should outline the local process and allow for continued evolution of practices intended to reduce DMC.

Section IV – School Discipline

Identified Issue/Activity

Safe Schools Healthy Students Initiative – The ICCSD has been the recipient of a Safe Schools Healthy Students (SSHS) grant from the federal Department of Education. The goal of the SSHS Initiative is to increase student learning by creating a unified system to support the social, emotional, and behavioral needs of all students. As a result of the SSHS grant, the ICCSD has done considerable work related to its school climate, including the student discipline process.

Technical Assistance - ICCSD officials have availed themselves of technical assistance in the form of discussions facilitated by CJJP regarding school discipline and disproportionate minority contact. CJJP staff have met with the Secondary Administrators and other school officials on multiple occasions and will be available for continued discussions in the future.

In this and other discussions, ICCSD staff identified a number of noteworthy activities already underway. This has included, but is not limited to, efforts to reduce the number of out-of-school suspensions and expulsions, and the use of PBIS and home visits to increase parental engagement. A brief description of some of those related activities and programs is included in Attachment D.

Challenges

Data - CJJP is willing to provide support to the ICCSD with data related to student incident referrals for all of the schools in its district. It is clear that the District has its own sophisticated local information system. CJJP will continue discussions with ICCSD officials regarding development of a data set that can assist the school in affecting its school discipline process. Efforts to work with the District are encouraging.

Low-Income Housing – In a number of discussions within the community, the ongoing issue of low-income housing in certain neighborhoods was a concern. The disparate opinions on how to address the issue, however, will require that the community and the schools continue thoughtful discussion on the matter, as no consensus currently exists.

CJJP Recommendations

Recommendation I: The ICCSD should continue to take advantage of the technical assistance offered by CJJP related to policy and procedure. The Iowa Department of Education has indicated its willingness to participate in these local discussions as well.

Recommendation II: ICCSD should further efforts to utilize its data system to develop information and formal report formats specific to school discipline. Such data must be a key component in community discussions pertaining to the school discipline process.

Section V - Overall Local Leadership and Committee Engagement

Identified Issue/Activity

There has been a long-standing local interest in DMC-related activities. Those interests speak directly to leadership/engagement, which are key ingredients in reducing DMC. Listed below are a number of examples:

- The Iowa City Police Department is actively making staff available to serve on a variety of local juvenile justice and/or DMC-related committees.
- The Iowa City Police Department is encouraging passage of state legislation that would allow for purging of juvenile arrest records once youth attain their 18th birthday. CJJP will ask its state-level Juvenile Justice Advisory Council to consider the issue as a part of its ongoing policy discussions.
- The local DMC Committee has been effective in furthering policy and program efforts relating to arrest and student discipline.
- The local office of the Department of Human Services (DHS) has efforts underway related to DMC including Community Partnerships for Protecting Children.
- There are local, private providers doing strong DMC-related work (e.g. Neighborhood Centers, The Spot).
- The recently formed City Council ad hoc Diversity Committee has been discussing issues around transportation and law enforcement interactions with citizens. See attachment E for further information/resources on citizen review boards and community policing.
- The Core Management Team, although charged with broader responsibilities than solely DMC, took advantage of technical assistance from CJJP staff in the form of a facilitated discussion on January 28th about its goals/purpose related to disproportionality.
- The DMC-related planning groups listed in Section II have been major contributors to local successes related to DMC. The leadership and diverse membership of those groups is directly related to their success and the successes noted above. In recent years, CJJP and its subcontractors have worked most closely with the local school and DMC Committees.

Challenges

Consistency of Purpose - The existence of multiple groups having similar goals can occasionally make it difficult to allow progress or to provide agreed-upon avenues to reduce overrepresentation. Each group has its own unique charge, but it can, at times, be difficult to get all groups moving together toward a single goal. In many communities, cross membership on multiple DMC groups can create fatigue regarding the extent to which true collaboration is taking place.

Diversity of Leadership – A number of community members expressed concern over the lack of leadership representation from minority groups on committees as well as in professional roles in organizations that have a significant impact on minority groups. At the same time, committee organizers and agencies have been frustrated in their attempts to recruit members/employees of color.

Risk of Expanded Focus - The leaders in this community have broad areas of expertise and interest. Experience indicates that discussions regarding DMC inevitably expand from the issue of minority overrepresentation in the juvenile justice population to larger societal issues affecting minorities. It is fairly well documented that minorities are disproportionately affected by unemployment and poverty, both of which are risk factors that can be linked to increased rates of criminal and delinquent behavior. These are certainly legitimate concerns and important issues to be addressed in a comprehensive approach to minority overrepresentation. However, many of these long-term issues will tend to exasperate DMC initiatives and bog down efforts to address some critical DMC-related problems that can be ameliorated in the short-term.

CJJP Recommendations

Recommendation I: Johnson County should avail itself of its broad array of local leadership.

Recommendation II: Johnson County should focus its DMC-related activities on a small and attainable number of goals.

Section VI – Overall Arrests and JCS Referral

Identified Issue/Activity

Discussions with a number of Johnson County juvenile justice system officials noted trends or concerns regarding offending behaviors or patterns for minority youth, particularly African-American youth. In response CJJP made a broad query of is Justice Data Warehouse regarding the types of local allegations for which youth were being referred to JCS.

Relevant Data

CJJP maintains a Justice Data Warehouse (JDW) which contains information from the Iowa Court Information System (ICIS) regarding major juvenile justice decision-making points. A more thorough discussion of the JDW is provided on page 77 of the [Three Year Plan](#). Allegation data for Johnson County are included as Attachment F – Top 20 Allegations, and are shown in Figure 4.¹

Figure 4
Top 5 Allegations for Caucasian and African-American Youth

Caucasian

	2010	2011	2012	Sum:
THEFT 5TH DEGREE - 1978 (SMMS)	130	88	65	283
JCS - POSSESS/PURCH ALCOHOL BY PERSON UNDER 18 (OTHR)	17	70	44	131
POSSESSION OF A CONTROLLED SUBSTANCE (SRMS)	28	28	22	78
POSSESSION OF DRUG PARAPHERNALIA (SMMS)	13	23	25	61
ASSAULT (SMMS)	16	15	19	50
DISORDERLY CONDUCT - FIGHTING OR VIOLENT BEHAVIOR (SMMS)	27	12	11	50
Sum:	231	236	186	653

Source: JDW

¹ The data in Attachment F are taken from the JDW and are comprised of individual allegations which resulted in a referral to JCS. The tables include data regarding the top 20 allegations for Caucasian and African American youth. Data sets are provided for calendar years 2010, 2011, and 2012.

African-American

	2010	2011	2012	Sum:
THEFT 5TH DEGREE - 1978 (SMMS)	79	69	77	225
DISORDERLY CONDUCT - FIGHTING OR VIOLENT BEHAVIOR (SMMS)	38	44	57	139
ASSAULT (SMMS)	28	37	31	96
INTERFERENCE W/OFFICIAL ACTS (SMMS)	18	26	18	62
TRESPASS - < 200 (SMMS)	19	23	20	62
Sum:	182	199	203	584

Source: JDW

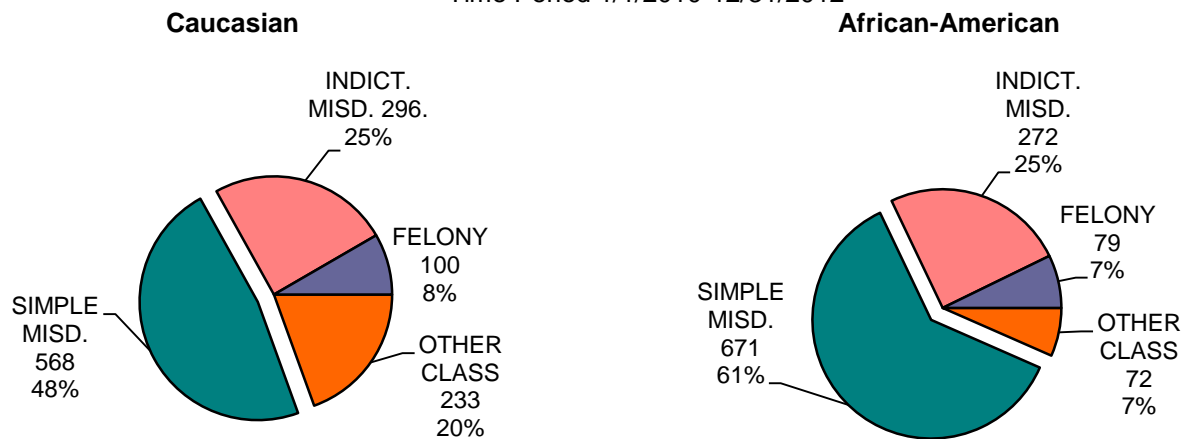
Allegations Remarks - Figure 4:

- 5th Degree Theft is the top arresting allegation for both races.
- Possession of alcohol, possession of a controlled substance, and possession of drug paraphernalia are three offenses on the top 5 list for Caucasians and are not on the list for African-Americans.
- Assault, interference with official acts, and trespass are three offenses on the top 5 list for African-Americans and are not on the list for Caucasians.

Allegations - Overall Remarks (see data from Attachment F - Top 20 Allegations):

- Combined allegations for Caucasians declined from 2010 (n=419) to 2012 (n=376), and increased for African Americans from 2010 (n=338) to 2012 (n=428).
- For classification purposes CJJP includes disorderly conduct, interference with official acts, harassment of public officer, failure to disperse and certain other offenses as public order allegations.
 - African-American youth account for 76% (n=219) of the public order allegations (n=290) included in the top 20.
 - Public order allegations constitute 7% of the top 20 allegations for Caucasian youth and 23% of such allegations for African-American youth.

Figure 5
JCS Allegations by Offense Level
 Time Period 1/1/2010-12/31/2012



Source: CJJP, Justice Data Warehouse

"Other Class" includes scheduled violations (e.g. certain alcohol, traffic, and court offenses)

Remarks - Figure 5:

- Numerical allegation counts are higher for Caucasians in felonies, indictable misdemeanors, and other classes. Counts are higher for African-Americans only for simple misdemeanors.
- Felonies comprise 8% of the allegations referred to JCS for the combined report period.
 - Felony allegations for Caucasians and African-Americans comprise 8% and 7%, respectively, of overall allegations for two racial/ethnic groups during the combined report period.
- Indictable misdemeanors comprise 25% of the allegations referred to JCS for the combined report period.
 - Indictable misdemeanor allegations for Caucasians and African-Americans comprise 25% of overall allegations for both racial/ethnic groups during the combined report period.
- Simple misdemeanors comprise 54% of the allegations referred to JCS for the combined report period.
 - Simple misdemeanors for Caucasians and African-Americans comprise 48% and 61%, respectively, of overall allegations for the two racial/ethnic groups during the combined report period.

Challenges

Simple Misdemeanor and Public Order Allegations - If all of the overrepresentation that exists in the juvenile justice system were eliminated for African-American youth for felony level allegations, disproportionality would still be significant. Data show that 54% of all allegations referred to the juvenile court in Johnson County are for simple misdemeanor offenses. Some of the offenses for which there is the most significant overrepresentation include disorderly conduct and interference with official acts. These offenses are those that offer the greatest opportunity for the judicious exercise of discretion by justice system representatives.

Complaint Calls - Law enforcement officials estimate that 90% of the calls to which they respond are to neighborhood in which significant numbers of minority youth reside. Thus, their patrol patterns are established by the volume of contact experienced in a given area.

Rights of Victims - Law enforcement officials note that even low-level offenses affect a victim. They stress the importance of the juvenile justice system's being able accountable to the needs of victims.

Police Stops - A number of local audiences in Black Hawk, Johnson, Polk, and Woodbury Counties express concern at the high rates and frequencies of police stops, arrests, and searches for African-American youth. CJJP conducted additional research regarding the noted concerns which is summarized in Attachment G.

CJJP Recommendation

Recommendation: Local officials should initiate discussions regarding arrest and JCS referral for low level offenses. Rather than creating a new group, an existing group should be considered for such discussions. Such a group discussions should include the diverse members of the community. CJJP would make itself available for such discussions.

Section VII Other Juvenile Justice System Activities

Identified Issue/Activity

Juvenile Justice Reform Project - JCS actively sought to be a part of a state-level grant effort to improve its programming, Iowa's Juvenile Justice Reform Project (JJRP), which implements both the Standardized Program Evaluation Protocol and the cost-benefit Results First model created by the Washington State Institute for Public Policy (WSIPP). Funding was awarded in October of 2012 to support three Judicial Districts, including the Sixth, which includes Johnson County. CJJP will partner with JCS officials and juvenile justice-related youth serving programs to implement JJRP.

Best Practices - JCS has implemented best practice programming, including Functional Family Therapy, a research-based program that engages the family in improving the behaviors of delinquent youth; and Aggression Replacement Training, a program that seeks to reduce aggressive behaviors in delinquent youth.

Challenges

Audience Engagement – Johnson County's participation in the JJRP effort and its work with various best practice programming will affect local youth serving programs and audiences outside of JCS. It is in the interest of the various audiences to be aware and informed of the work taking place.

Overrepresentation at Various Juvenile Justice Decision Points - Despite the noteworthy successes in school arrests and juvenile detention, overrepresentation still exists at various juvenile delinquency decision-making stages.

- Overall DMC matrices rates are considerably lower than national averages, but relative rates remain elevated for African-American youth at the decision-making phases of arrest, diversion, detention, petition, and adjudication for calendar year 2011 (pages 93 through 96 of the [Three Year Plan](#)).

CJJP Recommendation

Recommendation: JCS should engage relevant local planning groups/audiences regarding implementation of the JJRP effort and various best practices-related activities. A number of local groups expressed an interest in learning more about programming found to be effective, in particular, for minority youth.

Section VIII Relationships of Major Institutions to Minority Community

Identified Issue Activity - Challenges

Minority Community Trust in Local Institutions - Some local officials noted concerns with the ability for families of color, particularly African-American parents, to approach and work with the schools and law enforcement on issues faced by their youth. It is clear that local institutions are offering formal and informal opportunities for access by minority families. Research reflects minority distrust of institutions as a major factor in their willingness to access or function within institutions (summarized in Attachment H).

New Arrivals - A number of individuals noted new arrivals to their community from Illinois, Minnesota, and other contiguous states. It was suggested that such youth often come from much larger urban settings and have difficulty adjusting to life in Iowa City. This is noted as a universal phenomenon in the communities in which CJJP interviews are being conducted.

CJJP's local discussions, by design, have a focus on the involvement of minority youth in the juvenile justice system. There has been no discussion regarding the potential risks associated with Caucasian families relocating to various Iowa communities. There is an issue associated with stereotyping new arrivals and assuming that minority families will, by virtue of their race/ethnicity, present problems to the community. A concern is that references are routinely made regarding families relocating "from Chicago", and that such references are a proxy for race (African-American families), which may inappropriately connote increased issues associated with the potential of crime, gang involvement, issues in school, etc.

CJJP Recommendations

Recommendation I: Local institutions such as JCS, the judiciary, law enforcement, schools, etc. should engage minority families in ongoing and meaningful discussions regarding the policies affecting their youth.

Recommendation II: Local institutions must continually re-examine the extent to which their mission is consistent with a welcoming environment for newly-arrived minority families.

Attachment A Johnson County Officials Interviewed

<p>Child/Youth Serving Agency</p> <p><i>Neighborhood Centers</i></p> <p>Brian Loring, Executive Director</p> <p>Diane Dingbaum, Associate Director</p> <p>Tony Branch, Youth Program Coordinator</p> <p>Fred Newell, Family Advocate</p> <p><i>Parkview Church, The Spot</i></p> <p>Reverend Doug Fern, Director</p> <p>County</p> <p>Kingsley Botchway</p> <p>Chair, Ad Hoc Committee on Race</p> <p>LaTasha Massey, Community Projects Spec.</p> <p>Elected Officials</p> <p><i>County</i></p> <p>Janet Lyness, Johnson County Attorney</p> <p>Rod Sullivan, Johnson County BOS</p> <p>Defense Attorney</p> <p>Brandon Schrock, Juvenile PD</p> <p>Faith Community</p> <p>Reverend Dorothy Whitson, First Baptist Church</p> <p>Royce Ann Porter, Coordinator</p> <p>Family-to-Family Partnership Program</p> <p>Danny Wood-Milligan</p> <p>Family-to-Family Partnership Program</p>	<p>Human Services (Department of)</p> <p>Marc Baty, Service Area Manager</p> <p>Valarie Lovaglia, Social Work Administrator</p> <p>Juvenile Court Services</p> <p>Candice Bennett, Chief Juvenile Court Officer</p> <p>Bernie Bordignon, Juvenile Court Officer 4</p> <p>Betty Hopkins, Juvenile Court Officer 4</p> <p>Christopher Wyatt, Juvenile Court Officer 4</p> <p>Law Enforcement</p> <p>Samuel Hargadine, Iowa City Chief of Police</p> <p>Richard Wyss, Captain</p> <p>James Stephen, Captain</p> <p>School Officials</p> <p><i>Iowa City Community School District</i></p> <p>Stephen Murley, Ph.D., Superintendent</p> <p>Ann Feldman, Associate Superintendent</p> <p>Susie Poulton, Dir. of Health and Student Serv.</p> <p>Joan Vanden Berg, Youth and Fam. Dev. Coord.</p> <p>Ross Wilburn, Equity Coordinator</p>
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Attachment B

Juvenile Justice-Related Legal Precedents

There is a growing body of legal precedents providing youth with protections consistent with and, in some occasions, beyond those provided to adults due to the reduced culpability of youth. Further, under the doctrine of *parens patriae*, juvenile courts are obligated to ensure that the best interests of youth are being represented and met. These precedents are exemplified in the following cases:

In re Gault 387 U.S. 1 (1967) - The Court ruled that in hearings potentially resulting in commitment to an institution, juveniles have the right to notice and counsel, to question witnesses, and to protection against self-incrimination.

In re Winship, 397 U.S. 358 (1970) - The Court held that, under the Due Process Clause of the 14th Amendment, juveniles have the constitutional right to be adjudicated under the standard of proof of beyond a reasonable doubt.

D.B., v. Tewksbury, District Court of Oregon (1983) - The Court found the practice of jailing juveniles to be a *per se* constitutional violation of the 14th Amendment.

Hendrickson v. Griggs (U.S. District Court, Northern District Iowa 1987) - The federal Juvenile Justice and Delinquency Prevention Act is more than a funding statute. It creates an enforceable private right of action. States assume duties when they accept the federal funds, and when these duties are breached, a juvenile may seek a remedy pursuant to 42 U.S.C.A. Section 1983.

Thompson v. Oklahoma, 487 U.S. 815 (1988) - The differences between juvenile and adult offenders indicate that less culpability should attach to a crime committed by a juvenile than to a comparable crime committed by an adult.

Miller v. Alabama 567 U.S. ____ (2012) - The Court, expanding on 25 years of jurisprudence, held that the 8th amendment prohibited the mandatory imprisonment of juvenile homicide offenders to life without parole. The Court had previously prohibited capital punishment for minors who committed murder in *Roper v. Simmons* 543 U.S. 551 (2005) and had banned life without parole for non-homicide offenders in *Graham v. Florida* 560 U.S. ____ (2010).

Attachment C - 2012 DMC Matrix

Data Entry Section

AREA REPORTED

State: Iowa

County: Johnson

Reporting Period :

through

January 2012
December 2012

	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	All Minorities
1. Population at risk (age 10 through 17)	10,527	8,188	1,073	741	500	0	25	0	2,339
2. Juvenile Arrests									
3. Refer to Juvenile Court	683	303	304	68	2	0	1	5	380
4. Cases Diverted	414	207	169	32	3	0	0	3	207
5. Cases Involving Secure Detention	143	43	63	21	0	0	0	16	100
6. Cases Petitioned (Charge Filed)	218	87	102	27	0	0	1	1	131
7. Cases Resulting in Delinquent Findings	85	30	41	13	0	0	0	1	55
8. Cases resulting in Probation Placement	28	14	11	3	0	0	0	0	14
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	7	1	5	0	0	0	0	1	6
10. Cases Transferred to Adult Court	17	7	7	3	0	0	0	0	10

Meets 1% rule for group to be assessed?

Yes

Yes

Yes

Yes

No

No

No

release date: March, 2011

5. DATA SOURCES & NOTES

Item 1 Population: NCRJS Census Update	CY:	2011
Item 3 Referral: # of JCS Complaints/Referrals - JDW	CY:	2012
Item 5 Detention: # of Juvenile Detention Holds - CJJP	CY:	2012
Item 7 Delinquent: # of Orders for Adjudication - JDW	CY:	2012
Item 9 Confinement: # of Placements to State Training School - STS	CY:	2012

Item 2 Arrests: MOST RECENT UCR DATA NOT AVAILABLE	CY:	N/A
Item 4 Diversions: # of Diversions - JDW	CY:	2012
Item 6 Petitioned: # of Petitions Filed - JDW	CY:	2012
Item 8 Probations: # of Orders for Probation - JDW	CY:	2012
Item 10 Transferred: # of Orders for Waiver to Adult Court - JDW	CY:	2012

Attachment C (continued)

1. AREA REPORTED		FOCAL GROUP:		Black or African-American	
State: Iowa		Reporting Period :		01/01/2012-12/31/2012	
County: Johnson		Reference Group:		White	
Data Items	Total Number of Reference Group	Rate of Occurrence - Reference Group	Total Number In Focal Group	Rate of Occurrence - Focal Group	Relative Rate Index
1. Population at risk (age 10 through 17)	8,188		1,073		
2. Juvenile Arrests	NA	0.00	NA	0.00	**
3. Refer to Juvenile Court	303	NA	304	NA	**
4. Cases Diverted	207	68.32	169	55.59	0.81
5. Cases Involving Secure Detention	43	14.19	63	20.72	1.46
6. Cases Petitioned (Charge Filed)	87	28.71	102	33.55	1.17
7. Cases Resulting in Delinquent Findings	30	34.48	41	40.20	1.17
8. Cases resulting in Probation Placement	14	46.67	11	26.83	**
9. Cases Resulting in Confinement in Secure	1	3.33	5	12.20	**
10. Cases Transferred to Adult Court	7	8.05	7	6.86	0.85
Note: Rates for Refer to Juvenile Court are not calculated due to unavailability of arrest data.					
Key:					
Statistically significant results:		Bold font			
Results that are not statistically significant		Regular font			
Group is less than 1% of the youth population		*			
Insufficient number of cases for analysis		**			
Missing data for some element of calculation		---			
Definitions of rates:					
Recommended Base				Base Used	
2. Arrests of Juveniles - rate per 1000 population				per 1000 youth	
3. Referrals to Juvenile Court - rate per 100 arrests				per 1000 youth	
4. Cases involving Diversion before adjudication - rate per 100 referrals				per 100 referrals	
5. Cases involving Detention - rate per 100 referrals				per 100 referrals	
6. Cases Petitioned - rate per 100 referrals				per 100 referrals	
7. Delinquent Findings - rate per 100 youth petitioned (charged)				per 100 youth petitioned	
8. Probation placements - rate per 100 youth found delinquent				per 100 youth found delinquent	
9. Placement in secure corrections - rate per 100 youth found delinquent				per 100 youth found delinquent	
10. Transfers to adult court - rate per 100 youth petitioned				per 100 youth petitioned	

Attachment D

Other ICCSD School Discipline-Related Efforts

Positive Behavior Interventions Supports - ICCSD is implementing positive behavior intervention supports (PBIS). PBIS is a research-based, school-wide, system approach to improving school climate and create safer and more effective schools.

Tate High School – Tate is the alternative school setting through which the district strives to meet each student's needs through core class offerings, job based credits, and credit recovery online. Tate also offers a variety of career/vocational training and licensing opportunities including CNA, ProStart Culinary Arts, Auto Tech and more.

Student Advisory Center – A Student Advisory Center (SAC) is being operated in City High to reduce suspension of students by teaching appropriate skills and provide resource to prevent further problem behaviors. Components include full-time staff, protocol for student referral, access to counseling, and feedback to teachers.

Success Centers – Success Center programs are offered at all three junior highs and at City and West High. Students are in the Success Center for a minimum of one class period a day to receive individual tutoring, learn organizational skills, strategies to manage their behaviors, and suggestions of how to advocate for themselves. Students have the opportunity to take on-line courses for credit recovery.

21st Century Community Learning Centers – Roosevelt, Hills, and Grant Wood elementary schools are sites for 21st Century Learning Centers (21st CCLS). In an extension of the school day, these 21st CCLS programs provide academic and enrichment opportunities during non-school hours. The program helps students meet state and local student standards in core academic subjects such as reading and math.

Attachment E

Resources: Police Citizen Review Boards and Police/Citizen Relations

From the National Institute of Justice

“Citizen Review of Police: Approaches and Implementation”

“Citizen Review of Police” assesses nine different approaches to citizen oversight for jurisdictions interested in creating or enhancing an oversight system. This NIJ Issues and Practices report (NCJ 184430) discusses the types of citizen oversight, potential benefits of oversight systems, limitations to citizen review, oversight responsibilities, staffing issues, and potential conflicts between oversight bodies and police departments. Concerned citizens, community organizations, law enforcement agencies, and police unions can all contribute to the design, implementation, and operation of a successful oversight system.²

From the Office of Community Oriented Policing Services (USDOJ)

“Building Trust between the Police and the Citizens They Serve”

“Building Trust between the Police and the Citizens They Serve” focuses on the pivotal role of the Internal Affairs function as one component of an agency-wide professional standards effort in building trust between law enforcement agencies, their staff, and the communities they are sworn to protect and serve. The guide addresses the Internal Affairs function from complaint processing to decision-making, discipline, notification, and community transparency, as well as building an effective Internal Affairs approach for any size agency. It also looks at the Internal Affairs process from the citizen’s viewpoint, presenting information how local agencies can be accountable to their citizens through trust-building initiatives and other activities.³

² [Citizen Review of Police: Approaches and Implementation](#) by Peter Finn, March 2001.

³ [Building Trust Between the Police and the Citizens They Serve: An Internal Affairs Promising Practices Guide for Local Law Enforcement](#), U.S. Department of Justice, Office of Community Oriented Policing Services.

Attachment F TOP 20 JCS Allegations

Caucasian

	2010	2011	2012
THEFT 5TH DEGREE - 1978 (SMMS)	130	88	65
JCS - POSSESS/PURCH ALCOHOL BY PERSON UNDER 18	17	70	44
POSSESSION OF A CONTROLLED SUBSTANCE (SRMS)	28	28	22
POSSESSION OF DRUG PARAPHERNALIA (SMMS)	13	23	25
ASSAULT (SMMS)	16	15	19
DISORDERLY CONDUCT - FIGHTING OR VIOLENT BEHAVIOR (SMMS)	27	12	11
JCS - POSSESS/PURCH ALCOHOL BY PERSON <18 YOA - 1ST OFFENSE	44		
CONSUMPTION / INTOXICATION - 1978 (SMMS)	13	20	6
LOCAL ORDINANCES	6	18	8
BURGLARY 3RD DEGREE (FELD)	1	8	19
ASSAULT CAUSING BODILY INJURY-1978 (SRMS)	11	4	12
BURGLARY 3RD DEGREE - UNOCCUPIED MOTOR VEHICLE (AGMS)	5	14	6
OPER VEH WH INT (OWI) / 1ST OFF (SRMS)	9	7	9
THEFT 4TH DEGREE - 1978 (SRMS)	4	12	8
CRIMINAL MISCHIEF 5TH DEGREE (SMMS)	8	3	11
INTERFERENCE W/OFFICIAL ACTS (SMMS)	9	7	5
POSS/PURCH ALCOHOL BY PERSON 18/19/20 - 1ST OFF	11	3	4
CRIMINAL MISCHIEF 2ND DEGREE - 1978 (FELD)	4	2	11
TRESPASS - < 200 (SMMS)	3	7	7
THEFT 2ND DEGREE - 1978 (FELD)	6	5	4
ALL OTHER ALLEGATIONS	54	65	71
TOTALS	419	411	367

Source: Iowa Justice Data Warehouse

Attachment F (continued)

African American

	2010	2011	2012
THEFT 5TH DEGREE - 1978 (SMMS)	79	69	77
DISORDERLY CONDUCT - FIGHTING OR VIOLENT BEHAVIOR (SMMS)	38	44	57
ASSAULT (SMMS)	28	37	31
INTERFERENCE W/OFFICIAL ACTS (SMMS)	18	26	18
TRESPASS - < 200 (SMMS)	19	23	20
ASSAULT CAUSING BODILY INJURY-1978 (SRMS)	26	16	16
BURGLARY 3RD DEGREE - UNOCCUPIED MOTOR VEHICLE (AGMS)		6	34
POSSESSION OF A CONTROLLED SUBSTANCE (SRMS)	21	7	12
CRIMINAL MISCHIEF 5TH DEGREE (SMMS)	12	15	9
THEFT 4TH DEGREE - 1978 (SRMS)	9	9	16
LOCAL ORDINANCES	8	5	13
JCS - POSSESS/PURCH ALCOHOL BY PERSON UNDER 18	5	9	8
DISORDERLY CONDUCT - LOUD AND RAUCOUS NOISE (SMMS)	8	10	
THEFT 2ND DEGREE - 1978 (FELD)	1	2	14
BURGLARY 2ND DEGREE - 1983 (FELC)		2	13
CRIMINAL MISCHIEF 4TH DEGREE	3	3	8
THEFT 3RD DEGREE - 1978 (AGMS)	3	1	9
OPERATE VEHICLE NO CONSENT - 1978 (AGMS)	1	1	9
ASSAULT ON PEACE OFFICERS & OTHERS (SRMS)	4	2	1
CRIMINAL MISCHIEF 3RD DEGREE - 1978 (AGMS)	1	3	3
JUVENILE INTERSTATE COMPACTS -	4	2	1
ALL OTHER ALLEGATIONS	54	38	60
TOTALS	338	328	428

Source: Iowa Justice Data Warehouse

Attachment G

Research Regarding Police Stops

As noted in Section VI CJJP conducted a variety of research related to police stops. That research is summarized below.

- *“Stops occur in Black and Latino neighborhoods, and even after adjustments for other factors including crime rates, social conditions and allocation of police resources in those neighborhoods, race is the main factor determining New York Police Department stops.”⁴*
- *“Relative to stopped whites, stopped blacks are 127% more likely and stopped Hispanics are 43% more likely to be frisked.”⁵*
- *“Even after relevant legal and extralegal factors are controlled, reports from young minority males indicate they are at the highest risk for citations, searches, arrests, and use of force during traffic stops. Yet, these drivers are not more likely to report carrying contraband, which, it has been suggested, is one of officers’ primary motivations for conducting disproportionate stops and searches of minority citizens.”⁶*

⁴ [Center for Constitutional Rights](#) - Report to United States District Court, Southern District of New York, Jeffrey Fagan, 2010.

⁵ [A Study of Racially Disparate Outcomes in the Los Angeles Police Department](#), Yale Law School, Townsend, 2008.

⁶ [Examining the Influence of Drivers' Characteristics During Traffic Stops with Police: Results from a National Survey](#), University of Cincinnati, 2001.

Attachment H

Research Regarding Minority Distrust of Institutions

Observations are noted below from 1993 research by Michael Leiber, Ph.D. The research has been included in this report (despite the fact that it was released nearly 20 years ago) because it is one of the few studies that included interviews with Iowa juvenile justice system officials and delinquent youth. Some of the information CJJP staff heard in discussions in recent weeks with Johnson County officials is remarkably similar to the findings in the Leiber study.

Leiber study comments regarding the juvenile justice system are below.

“Minorities, especially black families are believed to be more distrustful of the system than whites and their families. Black parents are believed to be less willing to hold youth accountable for their actions and/or encourage respect for authority. Parents are also seen as often failing to attend scheduled meetings with decision makers which may result in the for further court involvement. At the same time, minority youth are not seen as less likely to admit or cooperate. Interestingly, youth argue that juvenile court decision makers may act too quickly in wanting to remove them from what is perceived as an inadequate home environment.”⁷

Leiber study comments regarding schools are below.

“Both adults and youth suggested there may be problems in the school system. A lack of minority staff and willingness on school officials to suspend and place youth in behavioral disorder classes were cited as areas of concern. An increasing reliance on calling the police and on the juvenile court to solve problems was also raised.”⁵

Leiber study perceptions regarding the views of youth toward JCS staff.

“All the youth in each of the counties viewed probation officers in a positive light. Most indicated they had good relations with their officer.”⁵

Information regarding research relating to minority trust in child welfare arena is provided below.

- Child Welfare – *“The study found that (African-American) residents were aware of intense agency involvement in their neighborhood and identified profound effects on social relationships including interference with parental authority, damage to children’s ability to form social relationships, and distrust among neighbors. The study also discovered a tension between respondents’ identification of adverse consequences of concentrated state supervision for family and community relationships and neighborhood reliance on agency involvement for needed financial support.”⁸*

⁷ [The Disproportionate Overrepresentation of Minority Youth in Secure Facilities: A survey of Decision Makers and Delinquents](#), University of Northern Iowa, Leiber, 1993.

⁸ [The Racial Geography of Child Welfare: Toward a New Research Paradigm](#), Northwestern University Law School, Roberts, 2008.